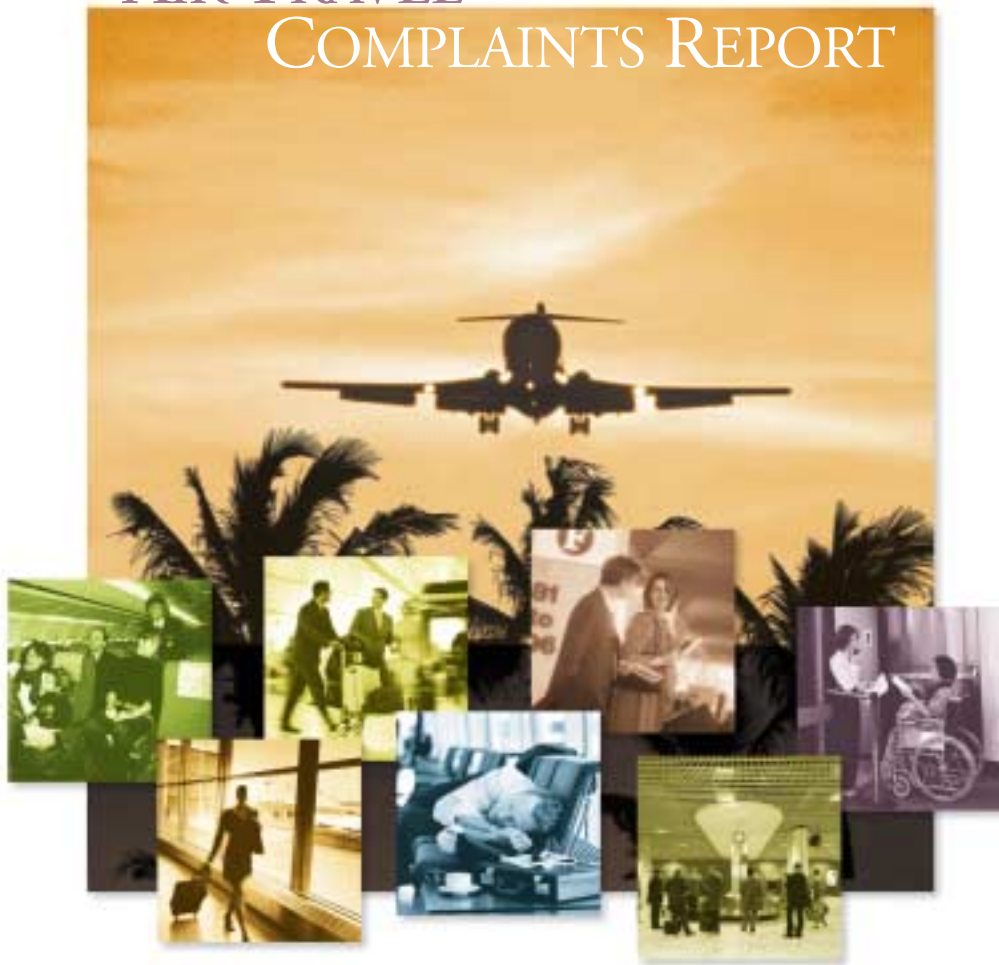




AIR TRAVEL COMPLAINTS REPORT



JANUARY TO JUNE 2004



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Disclaimer: Data in this report may differ from other reports. Variances result from the dynamic nature of the complaints database, which tracks complaints based on current status.





March 2005

The Honourable Jean-C. Lapierre, P.C., M.P.
Minister of Transport
Transport Canada Building – Place de Ville
330 Sparks Street
Ottawa, ON K1A 0N5

Dear Minister:

Pursuant to section 85.1 of the *Canada Transportation Act*, I have the honour of presenting to you the Air Travel Complaints Report for the period from January 1 to June 30, 2004.

Yours sincerely,

A handwritten signature in cursive script that reads "Marian L. Robson".

Marian L. Robson
Chairman

Encl.



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Note: Liette Lacroix Kenniff's term of office as Air Travel Complaints Commissioner ended on September 30, 2004. On February 23, 2005, Finance Minister Ralph Goodale announced, in connection with the Budget, that the position of Air Travel Complaints Commissioner would be eliminated, but the Canadian Transportation Agency would retain responsibility for the Air Travel Complaints Program. Agency staff continue to deal with air travel-related complaints by way of the informal complaint resolution process.



Complaint Analysis

COMPLAINT TYPES

Level I: Dissatisfied customer complains directly to the Commissioner's Office without writing to the carrier first.

Level II: Dissatisfied customer complains to the Commissioner's Office after a carrier fails to respond to a complaint or if the customer is not satisfied with the response received from the carrier.

Between January 1 and June 30, 2004, there were 561 complaints received. This was a 26.6 per cent increase over the number of complaints received in the previous six-month period (443), thereby reversing the downward trend reported in previous reports.

When compared to the equivalent period of January 1 to June 30, 2003, the total number of complaints received was down by 7.0 per cent. However, the number of Level II complaints received during this reporting period (226) was almost the same as the number of Level II

complaints received during the same six-month period in 2003 (237).

As in 2003, there was a sharp distinction between the number of complaints received in the first three months of 2004 (342) and the second three months of that year (219). The monthly total of complaints received ranged from a high of 124 in March to a low of 65 in June.

Air Canada Complaints

Throughout the current reporting period, Air Canada was operating under court-ordered protection from its creditors under the *Companies' Creditors Arrangement Act*. As previously reported, this order effectively removed Air Canada from regulatory oversight until such time as the company had restructured and emerged from creditor protection.

With Air Canada's agreement, Level I complaints continued to be sent to the carrier for processing in the usual manner. However, Level II complaints could only be referred to Air Canada for its review. The Air Travel Complaints Commissioner was unable to intervene to actively resolve outstanding issues with the carrier.

There were 211 complaints about Air Canada received between January 1 and June 30 of 2004, compared to 176 in the last six months of 2003. However, this was a decrease over the number of such complaints received in the same six-month period in 2003 (310), which included the three months prior to Air Canada being granted court protection under the *Companies' Creditors Arrangement Act*.

Air Canada's discount arm, Zip, generated six complaints, up from one in the previous report. The number of complaints about Air Canada Jazz increased from 6 to 15.

COMPLAINTS RECEIVED ABOUT AIR CANADA*

	2004	2003
January	41	71
February	48	76
March	40	57
April	27	42
May	32	38
June	23	26
Subtotal (January – June)	211	310
July		30
August		34
September		31
October		27
November		23
December		31
Subtotal (July – December)		176
Total		486

* Unless otherwise stated, throughout this report, reference to Air Canada includes all of its affiliates, that is, Jazz, Zip, Tango and Jetz.

Complaints About Other Canadian Carriers

Between January 1 and June 30, 2004, the number of complaints about other Canadian carriers rose to 241, an increase of 41.8 per cent over the same period in the previous year that saw 170 complaints. For basis of comparisons, 144 complaints were filed against other Canadian carriers during the second six months of 2003. And for the first time since these reports began in July 2000, the number of complaints about other Canadian carriers exceeded the number of complaints about Air Canada.

The number of complaints about Air Transat continued to drop, decreasing from 43 in the second half of 2003 to 31 in the first six months of 2004. This is the third consecutive decrease in Air Transat-related complaints. This decrease, combined with increases in complaints about two other Canadian carriers, has reduced Air Transat's share of the complaints to 6.9 per cent. It appears this carrier's efforts to improve both its service and its complaint resolution mechanisms are paying dividends for both the carrier and its customers.

Unfortunately, the same cannot be said about either Skyservice or Jetsgo.

Whereas the number of Skyservice-related complaints had decreased from 58 in the first half of 2003 to 25 in the second half, in the first six months of 2004 the number of complaints about Skyservice rose to 90, fully 19.9 per cent of all the complaints received about Canadian carriers.

The number of Jetsgo-related complaints also increased significantly, rising from 27, which was 8.4 per cent of all complaints about Canadian carriers to 81, or 17.9 per cent of complaints about Canadian carriers. This is particularly noteworthy given the relatively small size of this carrier. A dialogue has been opened with senior management at Jetsgo about this trend. Initial signs from the carrier are encouraging, but it remains to be seen if it can translate this into a longer-term commitment to improve customer service.

The number of complaints about WestJet increased slightly from one to three, while complaints about Canjet dropped slightly from four to three. HMY, a new Canadian carrier, also had three complaints, up from zero in the previous report. There were two complaints about Zoom, up from one last time.

AIR CANADA COMPLAINTS vs OTHER CANADIAN CARRIERS

	Air Canada	Other Canadian Carriers	Air Canada Complaints as % of all Canadian Carriers Complaints
January – June 2004	211	241	46.7 %
July – December 2003	176	144	55.0 %
January – June 2003	310	170	64.6 %

COMPLAINTS ABOUT ALL CANADIAN CARRIERS

	January – June 2004	July – December 2003	January – June 2003
Air Canada	211	176	310
Air Transat	31	43	64
Canadian Western Airlines	10	37	0
Canjet	3	4	1
HMY	3	0	5
Jetsgo	81	27	19
Skyservice	90	25	58
WestJet	3	1	6
Zoom	2	1	5
Other	18	6	12
Total	452	320	480

For a more detailed look at the nature of complaints received about major Canadian carriers, see the appropriate tables in this report.

Advance Payment Protection

The previous report commented on the problems created in British Columbia when Canadian Western Airlines, a small BC-based carrier, abruptly ceased operations. At that time, 37 complaints had been received about this carrier. Since that time, a further ten complaints about this carrier have been received. The report went on to recommend that:

As the difficulties caused by the cessation of this one small carrier demonstrate, the impact of a carrier failure, even a small one, can be significant. Today, with a number of large carriers experiencing serious financial difficulties, [the Air Travel Complaints Commissioner] believes that this issue is more pressing than ever and that the travel

industry as a whole needs to take steps to ensure that air travellers' pre-payments are adequately protected regardless of where they purchased their tickets.

To add emphasis to the need for an industry-based system of advance payment protection, in the first half of 2004, Val Air, another small carrier, this time based in Quebec, simply closed its doors and stopped operating, leaving a number of passengers holding suddenly worthless tickets. As in BC, there is a provincially operated fund in Quebec which is intended to protect prospective airline passengers in the event of an "end-supplier failure". Again, as in BC, this fund protects only persons who purchase their tickets through an accredited travel agency. Like Canadian Western, Val Air principally sold its tickets directly to its passengers. The result is that, once again, a number of people were left holding unusable tickets for which no refund will be forthcoming.

This is a problem that results from the business model adopted by the air carrier industry worldwide that sees consumers purchasing and paying for tickets well in advance of their travel dates. While there is nothing intrinsically wrong with this model, the air travel industry should take steps to ensure that, in the event of a carrier failure or shut down, consumers' advance payments are adequately protected.

A federal/provincial working group, which includes a representative from the Air Travel Complaints Commissioner's Office, is currently studying this problem.

Complaints About Foreign Carriers

The number of complaints against foreign air carriers did not change much from the second half of 2003 to the first half of 2004. Between July and December 2003, there were 106 such complaints, while from January to June of 2004, there were 105. This was, however, an increase over the same six-month period in 2003, when 97 foreign-carrier complaints were received.

Complaints were received against carriers from the United States, Europe, the Middle East, Africa and Asia; 38 foreign carriers in all.

This time, the largest number of foreign-carrier complaints concerned KLM with eight compared to only two KLM-related complaints in the previous six-month period.

This Dutch flag carrier was followed closely by Lufthansa and American Airlines with seven each (seven and five respectively in the previous report). Northwest and Aeroflot followed these two with six each (both up from four complaints in the second half of 2003).

The number of complaints about British Airways dropped from 13 to five in the first six months of 2004. Thirteen was the highest number of complaints received about a foreign carrier during the previous six-month period.

Air France-related complaints (ten in the previous report) dropped to zero during the current reporting period. This could be attributed, at least in part, to a meeting between senior Air France representatives in Canada and the Air Travel Complaints Commissioner, in which concerns about Air France's handling of complaints were discussed. The carrier has since implemented a pro-active, pro-consumer complaint resolution process which, as in the case of Air Transat, has been beneficial in resolving complaints at a very early stage in the process.

COMPLAINTS ABOUT FOREIGN CARRIERS

	January – June 2004	July – December 2003
KLM	8	2
Lufthansa	7	7
American Airlines	7	5
Aeroflot	6	4
Northwest Airlines	6	4
British Airways	5	13
US Airways	4	5
Alitalia	4	4
Alaska Airlines	4	0
Cubana	3	3
Continental	3	2
Czech Airlines	3	2
My Travel	3	2
Royal Air Maroc	3	2
BWIA	3	1
America West	3	0
PACE Airlines	3	0
Air France	0	10
Grupo TACA	0	6
Kuwait Airways	0	6
Air Comet Plus	0	4
Other	30	24
Total	105	106

You Need a Stamp, Tovarich!

Even in the post-cold war era, travellers to Eastern Europe often face bureaucratic hurdles. In this case, the complainant travelled to Moscow on a student fare on Aeroflot Russian Airlines. Prior to departure from Canada, she changed her return date and the travel agent placed a sticker on her ticket attesting to this fact. Her trip to Moscow was uneventful. However, her return to Canada was another story.

When she presented herself at the Aeroflot counter in Moscow, she was refused return transportation to Canada on the grounds that the sticker on her ticket should have been accompanied by a stamp, which was missing. No stamp, no travel. Sorry. Ultimately, to return home, the traveller had to purchase a one-way ticket to Toronto at a cost of \$955.

After she returned home, she applied to her travel agent for a refund of the cost of the additional ticket. Her travel agent reimbursed her \$510, which was the residual value of the unused portion of her original round-trip ticket. Despite her best efforts, no additional refund was forthcoming, and she turned to the Air Travel Complaints Program for assistance.

After a lengthy exchange of correspondence with Aeroflot, during the course of which it was repeatedly pointed out that there was no requirement in the carrier's tariff for a stamp to accompany a date-change sticker, the carrier agreed to refund the outstanding \$445 to the traveller.

Interesting Facts About the Period January to June 2004

- Almost three-quarters of all complaints received (73.6 per cent) concerned four carriers: Air Canada and its affiliates, Skyservice, Jetsgo and Air Transat.
- 211 complaints about Canadian carriers were directed at Air Canada and its affiliates (46.7 per cent) compared to 176 complaints (55.0 per cent) in the last report.
- 90 complaints about Canadian carriers concerned Skyservice (19.9 per cent), compared to 25 complaints (7.8 per cent) in the previous report.
- 81 complaints about Canadian carriers concerned Jetsgo (17.9 per cent), compared to 27 complaints (8.4 per cent) in the previous report.
- 31 complaints about Canadian carriers concerned Air Transat (6.9 per cent), compared to 43 complaints (13.4 per cent) in the last report.
- Eight complaints about foreign carriers concerned KLM (7.6 per cent) compared to two complaints (1.9 per cent) in the previous report.

- Seven complaints about foreign carriers concerned Lufthansa and American Airlines (6.7 per cent each), compared to seven (6.6 per cent) and five (4.7 per cent) respectively in the previous report.
- Complaints about British Airways and Air France dropped from 13 and ten to five and zero respectively.

What People Are Complaining About

The 561 complaints received during this reporting period raised 1,248 separate issues, slightly more issues than were raised in the previous reporting period (1,230) but down from the number of issues raised in the same period in 2003 (1,328). However, the average number of issues per complaint (2.22), while lower than in the previous reporting period (2.78), was higher than the average for the same period last year (1.99).

Complaints which included negative comments about the quality of the service received continue to predominate. They were followed by complaints about flight disruptions, baggage and ticketing.

- Quality of service concerns accounted for 39.7 per cent of the issues raised, compared to 41.9 per cent in the last report.
- 19.6 per cent of the issues raised concerned flight disruptions, slightly above the level of the same period in 2003 (18.9 per cent). This category constituted 14.4 per cent of the issues in the last report.

- Baggage issues climbed slightly from 11.8 per cent to 13.8 per cent, which was again almost the same as in the same period of 2003 (13.3 per cent).
- The percentage of ticketing issues continued to decrease, dropping from 12.2 per cent to 7.8 per cent.
- Concerns about safety issues, all of which were transferred to Transport Canada, rose from 2.8 per cent to 5.6 per cent.
- Concerns about reservations remained almost constant at 4.8 per cent, compared to 5.0 per cent last time.
- Refusals to transport issues decreased, going from 4.2 per cent to 2.8 per cent, while complaints about denied boarding remained almost the same at 2.7 per cent compared to 3.0 per cent in the previous report.

Notes: A "Denied Boarding" situation arises if a carrier has sold more seats on an aircraft than it has available. Most carriers routinely provide compensation to passengers who have been "bumped" under such circumstances.

"Refusal to transport" covers most other instances where a ticketed passenger is not permitted to board an aircraft. Such situations most often arise as a result of the actions or alleged actions (or inactions) of a passenger (e.g. unruly behaviour, lost ticket or inadequate travel documents). Under such circumstances, carriers do not routinely provide compensation other than as a "good will gesture".

ISSUES – ALL CARRIERS

	January – June 2004		July – December 2003	
Quality of service	496	39.7 %	515	41.9 %
Flight disruptions	244	19.6 %	177	14.4 %
Baggage	172	13.8 %	145	11.8 %
Ticketing	97	7.8 %	150	12.2 %
Safety	70	5.6 %	35	2.8 %
Reservations	60	4.8 %	61	5.0 %
Refusal to transport	35	2.8 %	52	4.2 %
Denied boarding	34	2.7 %	37	3.0 %
Frequent Flyer Program	30	2.4 %	28	2.3 %
Fares	7	0.6 %	7	0.6 %
Unaccompanied minors	2	0.2 %	9	0.7 %
Other	1	0.1 %	14	1.1 %

To a large extent, the issues raised concerning large Canadian carriers mirror the above. However, there are some variations when looked at on a carrier-by-carrier basis.

ISSUES – AIR CANADA

	January – June 2004		July – December 2003	
Quality of service	175	39.1 %	214	44.7 %
Flight disruptions	82	18.3 %	70	14.6 %
Baggage	58	13.0 %	62	12.9 %
Ticketing	36	8.1 %	42	8.8 %
Frequent Flyer Program	27	6.0 %	24	5.0 %
Reservations	27	6.0 %	21	4.4 %
Denied boarding	16	3.6 %	20	4.2 %
Refusal to transport	12	2.7 %	14	2.9 %
Other	14	3.1 %	12	2.5 %
Total	447		479	

Away From Home With Nothing to Wear

A long-awaited trip to rural Patagonia in South America turned bad when the traveller's luggage failed to make the trip with her. Although Air Canada admitted that they had failed to load her bag in Canada, they insisted that she deal with LanChile, her connecting carrier to South America. LanChile initiated a search for the missing bag and offered the traveller a complimentary toiletries kit and US\$50 to cover emergency purchases. Lacking appropriate clothing, the traveller had to cancel several planned field trips. From the steppes of South America, she asked the Air Travel Complaints Program to help her.

Once contacted by Complaints staff, LanChile offered the traveller a complimentary round-trip ticket for travel between the United States and South America to compensate for her loss of enjoyment. The traveller found this quite acceptable under the circumstances. However, on her trip home, Air Canada once again lost her luggage.

The lost luggage was eventually found but, when it was delivered to the traveller's home in Canada, the bag was broken, some items were missing and the contents were soaking wet. Air Canada had the bag repaired, but made no attempt to compensate the traveller for her lost and damaged possessions. Once again she turned to the Air Travel Complaints Program for assistance. Complaints staff followed up with the carrier, which subsequently paid the traveller \$100 in compensation for her losses. It also provided her with a \$100 coupon for future travel with the airline.

ISSUES – AIR TRANSAT

	January – June 2004		July – December 2003	
Quality of service	35	50.0 %	68	48.2 %
Flight disruptions	16	22.9 %	24	17.0 %
Baggage	7	10.0 %	9	6.4 %
Safety	7	10.0 %	9	6.4 %
Ticketing	2	2.9 %	8	5.7 %
Refusal to transport	2	2.9 %	5	3.5 %
Reservations	1	1.4 %	12	8.5 %
Denied boarding	0	—	3	2.1 %
Other	0	—	3	2.1 %
Total	70		141	

ISSUES – SKYSERVICE

	January – June 2004		July – December 2003	
Quality of service	78	40.2 %	34	47.2 %
Safety	41	21.1 %	0	—
Flight disruptions	40	20.6 %	19	26.4 %
Baggage	21	10.8 %	11	15.3 %
Reservations	5	2.6 %	2	2.8 %
Ticketing	3	1.5 %	4	5.6 %
Denied boarding	3	1.5 %	0	—
Refusal to transport	2	1.0 %	0	—
Other	1	0.5 %	2	2.8 %
Total	194		72	

Schedule? What Schedule?

Having travelled on Skyservice to the Turks and Caicos Islands for a one-week visit, the party of four Canadians was preparing to return home. The day before they were to leave, they attempted to confirm their departure time. However, the toll-free number that they were given by their tour operator, Signature Vacations, could not be used from the Islands. They had also been given another telephone number for a travel agency on the island, but decided to deal directly with the carrier instead. Accordingly, they made their way to the airport, where they had a discussion with Skyservice's ground handler, a company by the name of Skyking.

The Skyking representative assured them that the flight would be leaving at 2:05 p.m. the next day and told them that they had to be checked in by 12 o'clock. Early the next morning, they double-checked and were again advised that the flight would leave at 2:05. However, when they arrived at the airport around 12 o'clock, their flight had already left. To get home, they had to purchase one-way tickets on American Airlines at a cost of US\$745 each.

Their initial attempt to obtain compensation from Skyservice was unsuccessful. Agency Complaints staff were ultimately able to persuade the carrier to refund 50 per cent of the cost of the American Airlines tickets and provide \$2,000 in vouchers for future travel. The complainants felt that this was a fair settlement and accepted the offer.

ISSUES – JETSGO

	January – June 2004		July – December 2003	
Quality of service	107	46.1 %	42	45.7 %
Flight disruptions	58	25.0 %	10	10.9 %
Baggage	36	15.5 %	8	8.7 %
Safety	9	3.9 %	9	9.8 %
Ticketing	8	3.4 %	7	7.6 %
Reservations	5	2.2 %	3	3.3 %
Refusal to transport	3	1.3 %	5	5.4 %
Frequent Flyer Program	2	0.9 %	3	3.3 %
Denied boarding	2	0.9 %	0	—
Fares	2	0.9 %	0	—
Unaccompanied minors	0	—	5	5.4 %
Total	232		92	

How Much Is Your Luggage Worth?

Carriers routinely place limits on their liability for lost, damaged and delayed baggage. On international flights, these liability limits are set by international conventions, currently about \$2,000 per passenger. However, for travel within Canada, carriers may set whatever limits of liability they see fit. As a result, liability limits vary greatly among carriers, ranging from a high of \$1,500 to a low of \$50 per passenger.

Three travellers learned this fact the hard way when Jetsgo lost their luggage on separate trips between Canadian cities. The three had never met, but they found themselves with a common problem. When they filed lost luggage claims with Jetsgo, they were advised that the carrier's limit of liability is a maximum of \$250 per passenger.

Frustrated in trying to get what they considered a more appropriate settlement from the carrier, the three turned to the Air Travel Complaints Program for assistance. The carrier freely admitted that the three suitcases were lost while in its care, yet it would not consider additional compensation.

All three complainants felt the carrier's final offer of \$250 to settle their claims was not acceptable. They asked that their complaints be transferred to the Canadian Transportation Agency to formally determine whether the \$250 limit was "reasonable," which is in accordance with the Agency's mandate.

The Agency believed the issue of lost luggage liability was a matter of general interest, so it scheduled a public hearing on the issue. However, after the hearing was announced, Jetsgo contacted all three complainants and negotiated confidential settlements of their claims. As a result, the three complaints were withdrawn, the Agency lost jurisdiction over the matter, and the hearing was cancelled.

Jetsgo's domestic limit of liability for lost luggage remains unchanged at \$250 per passenger, as does that of WestJet and Canjet.

To provide a better understanding of what air travellers are complaining about, the following charts break down each of the complaint issues into sub-elements.

QUALITY OF SERVICE ISSUES – ALL CARRIERS

	January – June 2004		July – December 2003	
Handling of complaint by the airline	131	26.4 %	119	23.1 %
Attitude	120	24.2 %	106	20.6 %
Lack of communication	101	20.4 %	123	23.9 %
Line-ups/Waiting	47	9.5 %	63	12.2 %
Meals	34	6.9 %	21	4.1 %
Telephone delays	16	3.2 %	41	8.0 %
Equipment	15	3.0 %	19	3.7 %
Washroom condition	12	2.4 %	0	—
Other	20	4.0 %	23	4.5 %
Total	496		515	

FLIGHT DISRUPTIONS ISSUES – ALL CARRIERS

	January – June 2004		July – December 2003	
Flight delays	137	56.1 %	78	44.1 %
Flight cancellations	51	20.9 %	53	29.9 %
Changes to flight schedules	43	17.6 %	41	23.2 %
Misconnections	5	2.0 %	0	—
Other	8	3.3 %	5	2.8 %
Total	244		177	

BAGGAGE ISSUES – ALL CARRIERS

	January – June 2004		July – December 2003	
Delayed baggage	72	41.9 %	61	42.1 %
Damaged baggage	35	20.3 %	24	16.6 %
Lost baggage	30	17.4 %	18	12.4 %
Pilferage	16	9.3 %	11	7.6 %
Excess weight	15	8.7 %	11	7.6 %
Liability limits	2	1.2 %	0	—
Other	2	1.2 %	20	13.8 %
Total	172		145	

TICKETING ISSUES – ALL CARRIERS

	January – June 2004		July – December 2003	
Refunds	62	63.9 %	95	63.3 %
Restrictions	11	11.3 %	12	8.0 %
Charges (Fees/Penalties)	9	9.3 %	23	15.3 %
Lost	4	4.1 %	0	—
Travel vouchers	2	2.1 %	0	—
Other	9	9.3 %	20	13.3 %
Total	97		150	

RESERVATIONS ISSUES – ALL CARRIERS

	January – June 2004		July – December 2003	
Failure to provide pre-confirmed seats	27	45.0 %	19	31.1 %
Cancellation of reservation(s)	17	28.3 %	15	24.6 %
Seat availability	9	15.0 %	13	21.3 %
Other	7	11.7 %	14	23.0 %
Total	60		61	

What They Wanted

Aggrieved travellers continue to seek a variety of remedies for the problems that they encountered, ranging from a simple apology to monetary compensation. However, more consumers were looking for monetary compensation than for any other remedy. As in the past, many discontented travellers were looking for more than a single remedial gesture from their carrier. As a result, the number of remedies sought (806) continued to outstrip the number of complaints closed (512).

During the period under review:

- 35.0 per cent of the complainants were seeking additional compensation from their carrier, up from 28.0 per cent in the previous report.
- 20.2 per cent were seeking a refund of the money they had paid to the carrier, down slightly from 24.0 per cent in the previous report.
- 15.6 per cent were seeking an apology, approximately the same percentage as in the previous reporting period (15.3 per cent).
- 11.5 per cent were seeking an explanation for the problems they encountered, down somewhat from 12.2 per cent in the previous reporting period.

REMEDIES SOUGHT BY COMPLAINANTS

	January – June 2004		July – December 2003	
Compensation	282	35.0 %	198	28.0 %
Refund	163	20.2 %	170	24.0 %
Apology	126	15.6 %	108	15.3 %
Explanation	93	11.5 %	86	12.2 %
Points/Vouchers	77	9.6 %	68	9.6 %
Air carrier policy change	48	6.0 %	62	8.8 %
Regulatory change	17	2.1 %	15	2.1 %
Total	806		707	

Results for Canadians

512 complaint files were closed during the first half of 2004. Of these:

- 190 were closed at Level I (another 125 Level I complaints migrated to Level II);
- 238 were closed at Level II; and
- 84 were referred to other Government of Canada organizations such as the Canadian Transportation Agency, Transport Canada and the Competition Bureau.

Satisfaction Level

Of the 315 Level I files that were brought to the carriers' attention for the first time as Level I Complaints:

- 183 were resolved to the complainants' full satisfaction;
- in two instances, the complainants were partially satisfied; and
- in 130 instances, the complainants were not at all satisfied.
 - Five of the latter chose not to ask the Air Travel Complaints Commissioner's Office to pursue the matter any further; and
 - 125 complainants requested that their files be moved to Level II.

The satisfaction rate for Level I complaints was 58.7 per cent, which is a slight increase over the 57.9 per cent Level I satisfaction rate reported in the previous report.

Of the 238 Level II Complaints closed between January 1 and June 30, 2004:

- 131 were judged by the complainants to have been resolved to their complete satisfaction;
- in 82 cases, the final outcome was judged to be partially satisfactory; and
- in 25 cases, the final result was judged by the complainant to be unsatisfactory.

Based on the number of fully satisfied and partially satisfied complainants, the Level II success ratio was 89.5 per cent. This is a significant increase over the 65.5 per cent Level II success rate reported for the previous six-month period.

This is not to say that every complainant received exactly the settlement they wanted. Many did not. In some cases, this was because the complainant's expectations were too high. In other cases, the settlement offered, while judged insufficient by the complainant, was consistent with the carrier's tariff, international conventions and industry standards.

A few complaints were considered not to be sufficiently serious to be worth pursuing further and, in even fewer cases, to be "frivolous and vexatious" and not worth pursuing at all. In such cases, the complainant will almost certainly not be satisfied with the results of the investigation.

Complaints by Province, Territory or Other

A breakdown of complaints.

